

OPENING STATEMENT OF THE HONORABLE LUCIEN N. NEDZI (D-Mo.)  
CHAIRMAN, SPECIAL SUBCOMMITTEE ON INTELLIGENCE  
March 8, 1972

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The Intelligence Subcommittee has been charged by Chairman Hebert to conduct a major inquiry into the problem of proper classification and handling of Government information involving the national security.

We have also been asked to review the adequacy of the National Security Act with regard to classified material and to ascertain the merits of H. R. 9853, jointly introduced by the Chairman and Congressman Arends of Illinois, which would establish a permanent National Commission on the Classification and Protection of Information.

We begin that task this morning with a determination to conduct a low-key, serious, and probing inquiry.

The Armed Services Committee, conscious that the most sensitive classification disputes are defense-related, has been concerned for some time over the classification procedures practiced by the Department of Defense as well as occasions of apparent mishandling of classified material closely associated with the national security. We are concerned with the public's right to know and with the necessity of providing Congress and the public the fullest possible information upon which it may exercise an informed opinion.

We are aware of various efforts over the years within the Department of Defense to reduce the great mass of classified data that has been accumulating with apparently insufficient control. It is time to make a more strenuous effort.

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We recognize the subject is not an easy one. It involves:

- (1) the protection of sensitive information,
- (2) the accepted principle of the right of the people in a free society to be informed about their government, and
- (3) the exercise of human judgments on where to strike the proper balance between the two.

Inevitably, we find widely divergent differences on the subject by many reasonable and loyal people. We will examine those differences as well as the principles and materials upon which they are based. We will be looking at the legal and legislative basis for classification and denial of defense information, the identity of information which should be classified, guidelines for classification and declassification, individuals authorized to classify, security of so-called classified information, security clearances, and more. Also, we will be examining the adequacy of Federal laws and regulations to discourage the unauthorized removal of classified defense information into the public domain.

We hope this inquiry will result in our being able to make workable recommendations regarding the problem areas in the handling of defense information.

Obviously, we must decide whether the entire subject, which is admittedly quite a tangle, lends itself to legislation.

As I indicated, we will consider H. R. 9853, the Hebert-Arends Bill, but we will welcome other legislative suggestions that may be placed before the Subcommittee. Moreover, we are aware of the growing Congressional and public interest in investigating and proposing legislative remedies.

We all recognize that millions of documents, going back many years, have been classified. Only a small portion have been declassified. This fact suggests the

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great mass of information we are dealing with. We are also confronted with a web of statutes, executive orders, court decisions, constitutional precedents, and learned dissertations on the subject.

We are seeking to bring a complex, unwieldy, and sometimes boring subject into clearer focus. Hopefully, these hearings will provide us with guidance for a constructive recommendation for improvement.

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